

Since many of the items lack a specific page number, the page number displayed online refers to the sequentially created number each item was given upon cataloging the materials.

Freelloshaup Deo 1876 Thellos on one and aqualing on the other hand. There we speriam with laws Gronder in apper third, Che agustrois, But the trey are very distat. dansfoli inlarge, hundsome Tru with symmetrical limbs es musel folige, om mod omamental Oak itte tow country. J'aquatir is a smaller tree with more irregular a errocket branches, operser foliage, so that one can book through the head of the tree : an ugly bree - restainly most abunche son the head of galls " I Fran But by no means uncommon in sandy soil where indeed I have deen the larger sperimens! growing along vide of buenfolig and i striking contrast with it. Both sp. vesemble one another i tak, consistency of leaf, acoms, titte not i sige & Sisposition of Granche, & foliage

0 1 2 3 4 5 6 7 8 9 10 cm copyright reserved

MISSOURI BOTANICAL GARDEN

fin mill ashifhed a how time they then blogher fri zimelt minden ihr Afmingen Sund Indones C in der Linken Tifuller, Tound by mill ountry spring das for fort ofme frif gu thrighen runs melm mit flomform med Bumyfor. Janiah Gebrut monden die Elmingen Jo fallig den zogen frif veraf der Krien med morrinforeflan Lathermannen. mont minigen than In nomen at builther yestern muni. Din Differngene fall sung stafahen, Inf Van.... fra system on fl afs about an inder mudin might in I bin kan fifther wind men Die Pan mend Mich. Vin folking mennet ill fruit mer ign. storpert befor dong ment 1. J. J. S. GEORGE ENCELWAMN PARERS

MEGINES TROUNTLOS INDOSSIM

copyright reserved

MISSOURI BOTANICAL GARDEN

the entire summer. Indeed, for six succes- | the entire community went with them on sive seasons the musicians found themselves regularly coming back to Newport again from their various wanderings; and it would ern States and Canada. Splendid success not be too much to say that the popularity of Newport was quite as much due to their presence as to any other influence.

During this first season their plan was to play twice a week as one band; the rest of the time they were divided among the different hotels. The guests, among whom were many of their former friends from Baltimore, listened most attentively to the music, even going so far as almost to give up dancing during the entire summer. The cozy evenings at the "Atlantic" and "Belleresembled promenade concerts. Regular programmes were made out by the musical portion of the guests, and the playing drew crowds of listeners, filling parlors, halls, and piazzas with an audience far more attentive than could have been expected under the circumstances.

The numerous Baltimoreans who were at Newport that summer had by no means forgotten the musicians, nor the warmth with which they had greeted the orchestra in its day of obscurity. Now that its reputation peripatetic Germans. was insured, they were no less anxious to participate in its triumphs. A subscription series of thirty grand concerts to be given in Baltimore during the coming season, thus insuring the stay of the orchestra during the entire winter. This unprecedented series of concerts was given between November 27, 1849, and April 6, 1850. They were all well attended, and awakened an interest, not only popular, but unmistakably genuine.

During this long stay in Baltimore, the members had formed numerous personal nearly thirty concerts, and when these were friendships, and the time of parting did not arrive without bringing many regrets. The hearts of the young men had not been unimpressed. It was said in those days, and widely believed, that the Germania member, who should marry, forfeited his membership. This was not literally the case; but, recognizing the difficulty of maintaining domestic ties in a life necessarily so nomadic, the members, for a long time, refrained from such ties. The director and the drummer had been benedicts before the orchestra came into being; the rest remained single.

When the day of departure at length came, numerous friends assembled to bid them farewell, and the good wishes of ton. While this resolution was pending,

their way.

was met with everywhere. An overwhelming demonstration greeted them at Montreal, where seven concerts were given. The best portion of the citizens filled the house nightly, and the officers of the English regiments stationed there showed their appreciation and hospitality by giving the members a standing invitation to their mess, besides letters of introduction to their brother officers at other military stations.

The tour which they were now making was extended to nearly all the cities of Western vue" are still recalled with great pleasure by New York, and lasted until the Newport the surviving members. The entertainments | season opened. It was, at this time, the custom of the orchestra to give seldom more than three concerts per week, and thus the members had large opportunities for social recreation, as well as for visiting points of interest in the various places through which they journeyed. In this way they gained a most thorough knowledge of the whole country, and it would be difficult to select an equally numerous group of American citizens who know so much of the geography of their own country, as did these

The second season at New York began and ended with nothing eventful to record. was set on foot, and very soon raised, for a At the close of the summer, the season of 1850-51 was again passed in Baltimore, where a second series of thirty concerts had been subscribed for. At the close of these concerts, which were fully as successful as those of the previous winter, the orchestra went on a four weeks' trip to the Southern States with Parodi, Amalia Patti, and Strakosch. Following this engagement was one with Jenny Lind, for whom they played in concluded, they repaired to Newport for the third summer.

At the close of the subscription concerts in Baltimore, Mr. Lenschow, the original director of the orchestra, had tendered his resignation, and Mr. Wilhelm Schultze, the leader of the violins, was chosen conductor ad interim. This arrangement continued with excellent results until the beginning of their Newport season, when the talents of Carl Bergmann—then in New York—becoming known to the members, he was elected to and accepted this important position.

During the season at Newport it was resolved to spend the following winter in Bosthere was much difficulty in making it unanimous, and six of the members resigned. An agent, however, was at once dispatched to Germany to supply their places, and the new players arrived just at the close of the Newport season. A two-months visit through the Eastern States served to convert the fresh arrivals into valuable members, and, thus equipped, the orchestra began its season in Boston. By careful management, and the exertions of friends, a sufficient number of subscribers was obtained for twenty orchestral concerts. It was by far more difficult here than in Baltimore. The Musical Fund Society and the Boston Quintette Club, two well established instrumental organizations, had each a large subscription list, for the entire winter, use the words of a member, "they were a and the Handel and Haydn Society, which also had its regular subscribers, would of course employ the home musicians for its oratorios. Great rivalry now took place between the organizations. The Germanians being the better performers, and enjoying, as a result of their varied experiences, far more practical management, gradually got the better of the Musical Fund Orchestra. Even the Handel and Haydn Society finally engaged the Germanians for its concerts, and from that date their professional status in Boston was unquestioned.

It was at this time that the so-called "public rehearsals," destined to be so extraordinarily popular, were first undertaken, and here the great contralto, Miss Adelaide Phillips made her first public appearance, singing at nearly all of the afternoon concerts. These so-called "rehearsals" were thus named, in part, at least, from the fact places. Numerous performances were also that they were given in the afternoons, and given in connection with other artists, Alto avoid using that frequently absurd anach- boni, Sonntag, etc., and with the Handel ronism, matinée. But the word was doubt- and Haydn Society. less shrewdly chosen also, in deference to that well pronounced disposition of the hu- Wednesday afternoons was something proman mind to enjoy everything that seems to be exclusive, or which the masses are presumed not to have the privilege of enjoying. It was remarked by Charles Dickens that the greatest happiness of the average human being, was to go "dead-head" to the theater. It was no doubt partly owing to this tendency that these "rehearsals" were so popular.

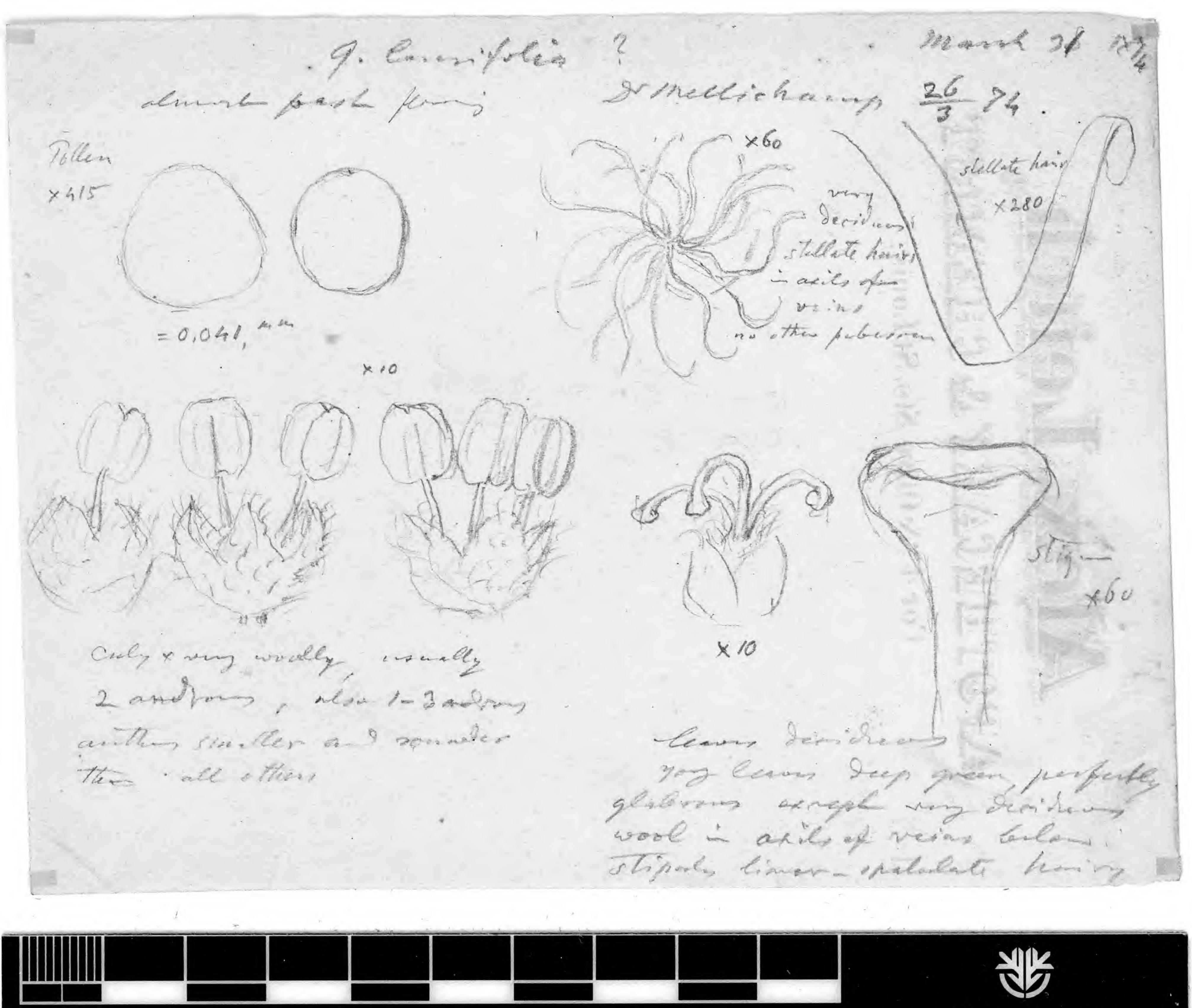
At the close of the winter of 1851-52 in Boston, the Germania formed a connection with Ole Bull, traveling with him very extensively in the North and West, for nearly four months. Then, again, a delight- after the orchestra had finally separated. ful summer (the fourth) at Newport. During Occasionally afternoon and evening conthe leisure hours of this summer, plans were laid of a more ambitious character than here- crowds continued undiminished.

tofore, with a view of spending the winter again in Boston. The Boston Music Hall was now nearly completed, and in the anticipation of an increased general interest in the subject of music, it was determined to enlarge the orchestra to thirty members, besides securing additional attractions in the way of soloists.

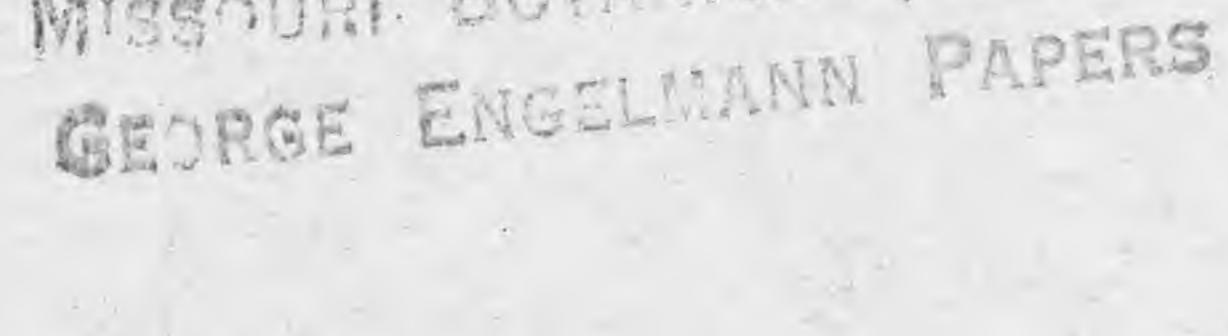
At the close of the season in Newport, the month of October was spent in Philadelphia. Their arrival was somewhat early in the musical year, but they were welcomed with a plentiful display of enthusiasm. They gave five concerts alone, and seven in combination with Madame Sonntag. These were the most brilliant concerts that the orchestra ever gave in Philadelphia, and to most astonishing contrast" to those hapless entertainments which took place there in their earlier days.

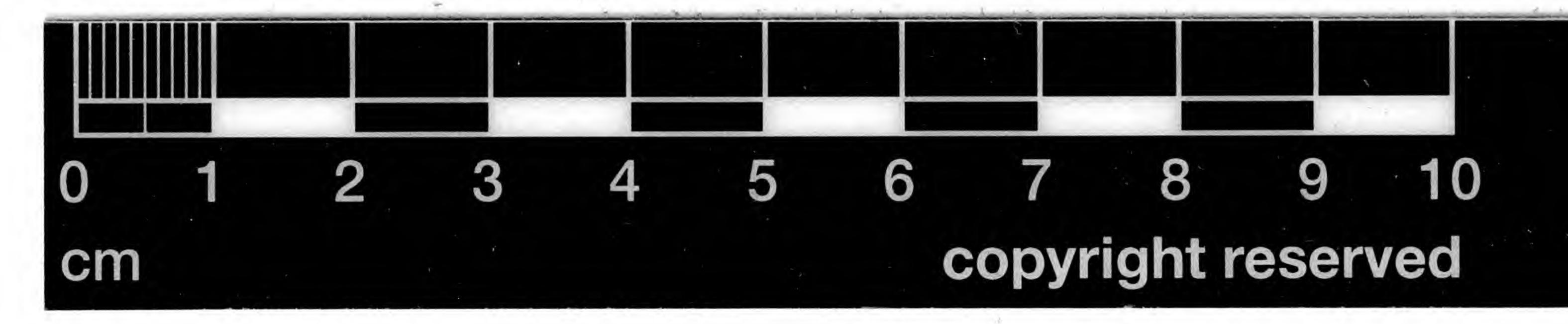
The Boston Music Hall was now quietly engaged for every alternate Saturday evening, and for every Wednesday afternoon during the whole winter. An engagement with Alfred Jaell, the pianist, and Camilla Urso, the talented lady violinist, was perfected, and thus well prepared the Germania entered upon the most successful year of their organization, and one of the most brilliant in the history of music in America. In addition to the regular Wednesday "rehearsals" and ten grand subscription concerts in Boston, series of three or four each were given in Charlestown, Taunton, New Bedford, Lowell, Newburyport, Providence, Hartford, Worcester, New Haven, and Portland, with single concerts at smaller

The success of the public rehearsals on digious. At one of them there were 3,737 tickets taken at the door, by actual count. True, the price was low—eight tickets for one dollar. At one time there were more than ten thousand tickets issued and in the hands of the public, while their use was so general that they have frequently been given and taken in "making change." It is a curious fact that seven hundred dollars' worth of these tickets were never redeemed, although a fund was reserved for a long time by the members for that purpose, even certs were given on the same day, but the

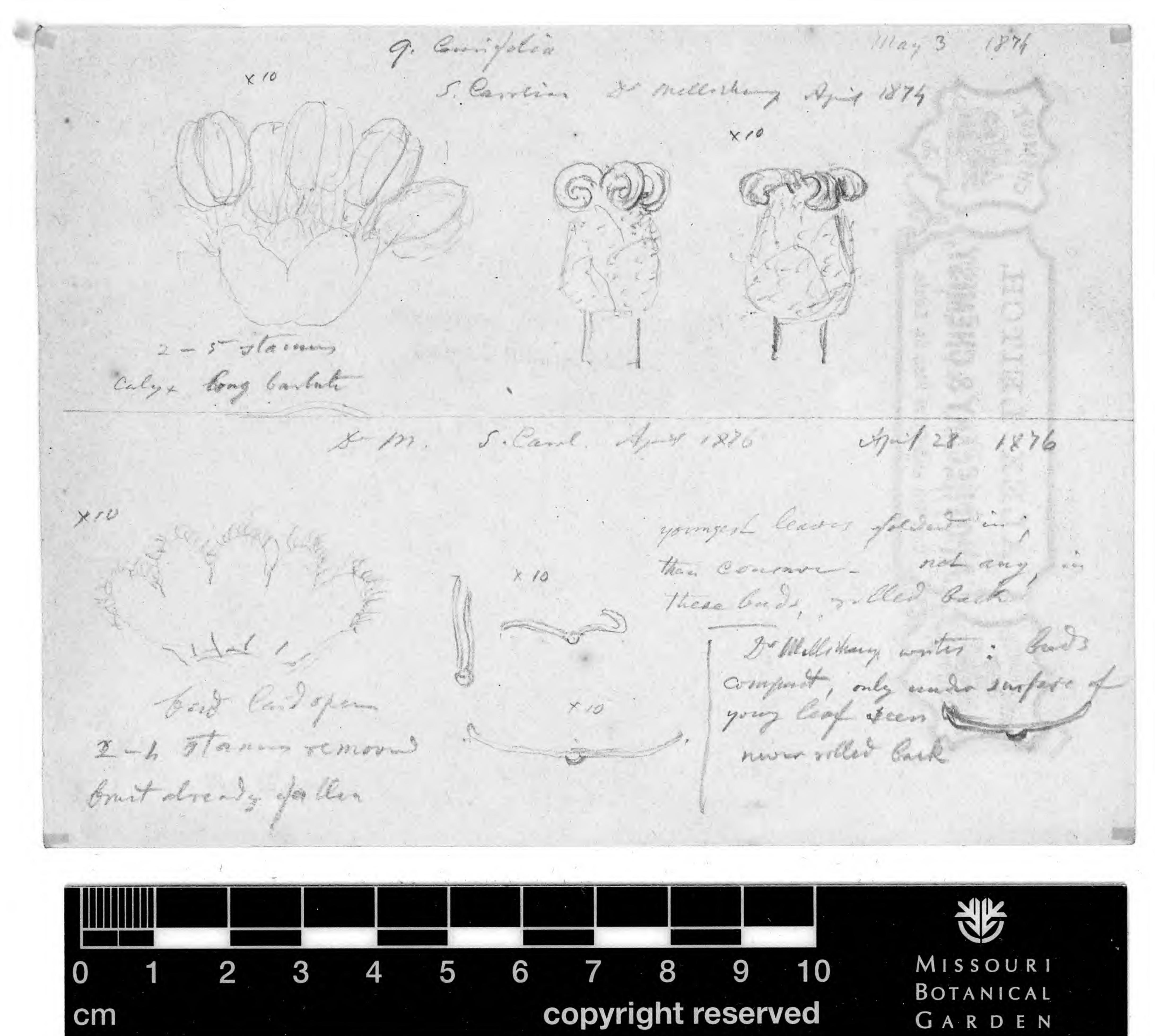


0 1 2 3 4 5 6 7 8 9 10 MISSOURI BOTANICAL GARDEN





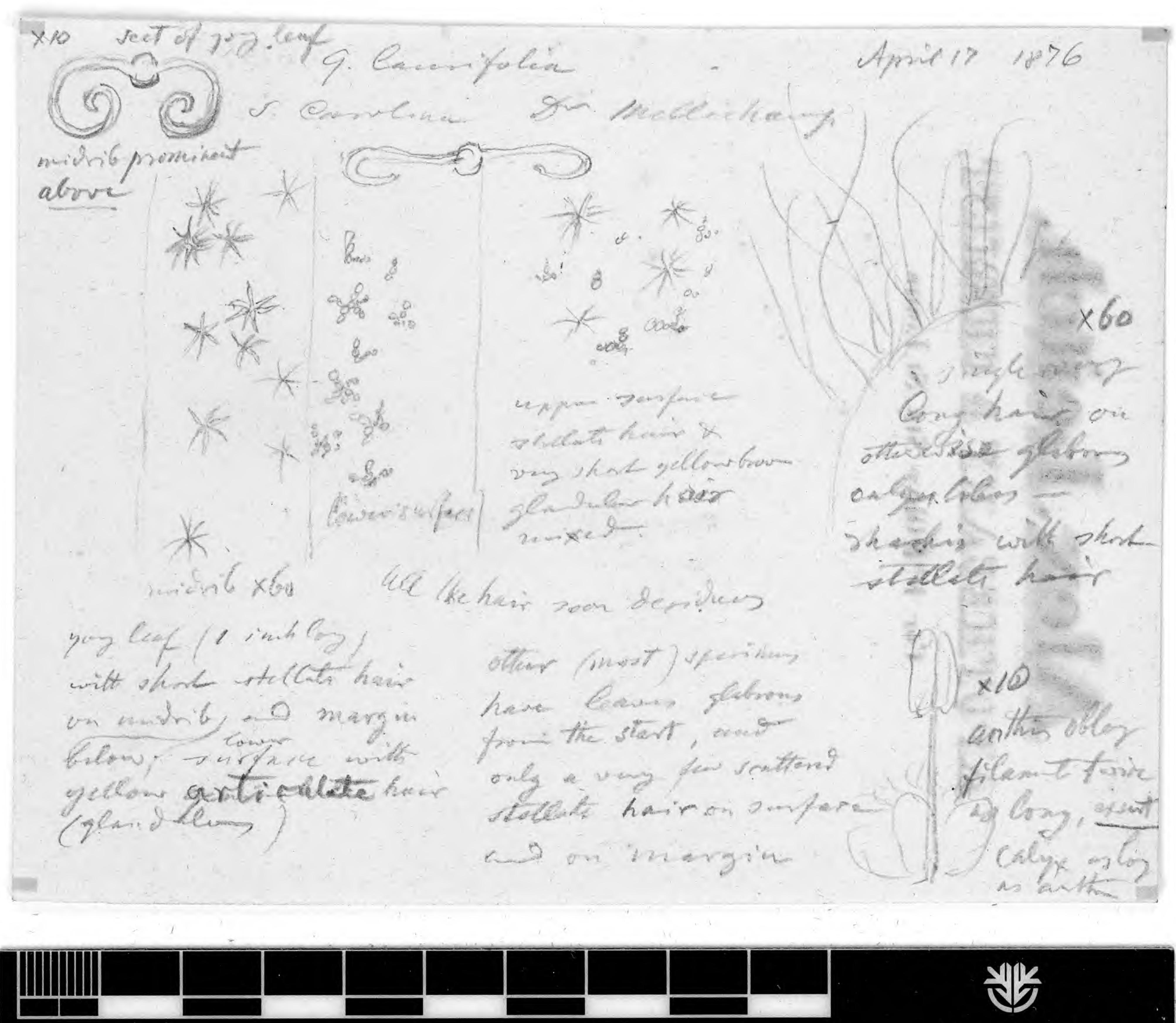






MISSOURI BOTANICAL GARDEN





0 1 2 3 4 5 6 7 8 9 10 cm copyright reserved

MISSOURI BOTANICAL GARDEN

MISSOURI BOTANICAL GARDEN GE RGE ENGELMANN PAPERS



Mril 21 1877 9. Carnighter 10 April 1877 section of been -I liam, long Some State schematici. about out of glabour, some ertice trave of stillets have fer stellate er vingle hair on missib and edges of yoursel leaves /1-3 limby) has some from the glandelar hair more on upper side a otherwise quit on report sendonite, attenderie glabrours / Ceaun bag " Cong bond strictly indirecte! elightly politication & day on Both of lest Jection of least has lower side of youngest leaf with glandeles frier midrib /hickurabove Them below MISSOURI BOTANICAL copyright reserved

GARDEN

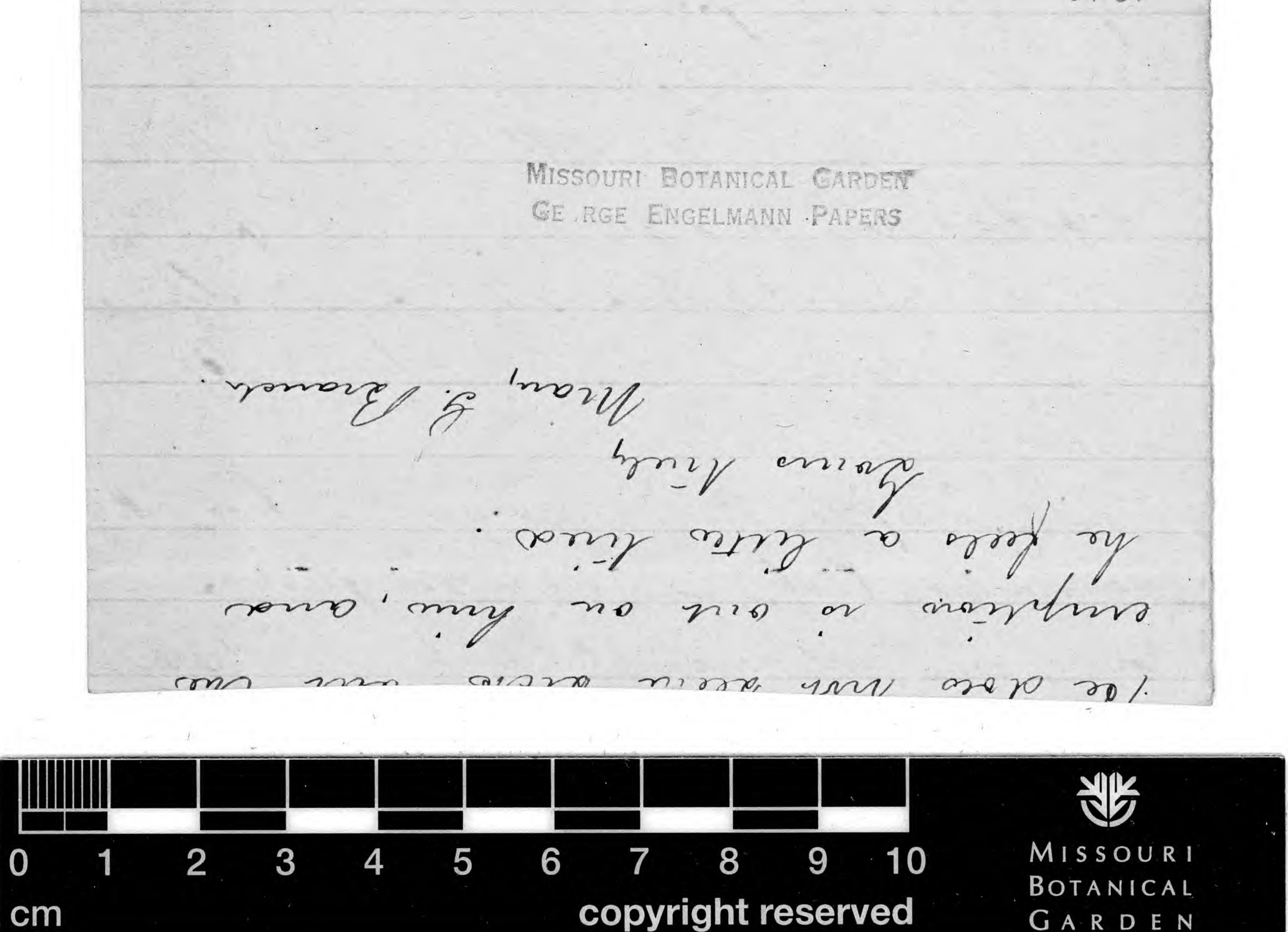
MISSOURI BOTANICAL GARDER GEORGE ENGELMANN PAPERS





Juensus Caus jolen Blufflon S. Canol. Mullichaup Sei 18/6 Stif Hightly lobed leaves from very vigorous branches and from top most branches, The bronder leaves are from lower down - broader towns lop like ajocatier. G. Courfolis is a large & hand some tree with symmetres links and mussed foldige, one of son not omanualit oak 2. HM.





GARDEN

meeting in a gloomy back room at the "White Swan," and unanimously voted that affairs were desperate. To extricate themselves seemed a very forlorn hope. A number of propositions were made and rejected, one of the most amusing proceeding from the commander of the drums, Herr Njorth. The worthy drummer was the possessor of a very charming wife who was, withal, an "expert" at dancing, and Herr Njorth thought if she would appear between the parts of the programme in a dance or two it might produce an effect. Some of the members, the more youthful ones, seemed to favor the proposition. But it was indig- they would have hastened back to their nantly voted down by the older ones, who | native land with the utmost expedition. regarded such an innovation with a holy horror. The meeting ended in nothing, save a general desire to be home again, and they separated still undecided as to their future.

In Philadelphia, as in New York, the few who were good judges of a musical performance were mortified and indignant at the wretched success of these concerts. They justly regarded it a calamity quite as great in its effects on our own public as on the visiting musicians. The only reparation in their power took shape, as in New York, in a complimentary concert, at which the orchestra was associated with the famous violoncellist, George Knoop. This concert, which was one of the finest ever given in Philadelphia, took place on the 6th of January. We will add here the programme entire, since it reveals a degree of richness totally beyond the experience of musiclovers at that day:

I.	Overture to "Jessonda"
2.	Duo. Violin and Violoncello, on Styrian Airs.
	Performed by Messrs. Wm. Schultze and
	Geo. Knoop.
3.	Septette, opus 20
4.	Overture, C minor
5.	Concerto for Violoncello
6.	Concertino for two flutes, from "Robert le Diable."
	Performed by Messrs. Carl Zerrahn and
	P. Pfeiffer.
7.	Double Quartette
8.	Duo. Violin and Violoncello, from "William Tell."
9.	Overture. "Midsummer Night's Dream."
	Mendelssohn.

tions as the above would be creditable | Gungl and his orchestra returned abruptly to even in these days. Twenty-three years New York, leaving the Germanians in posago it was nothing less than a musical mar- session of the field, and of Carroll Hall. vel; and when given, as it was, before a But Carroll Hall proved soon to be too crowded and attentive audience, and by small for the increasing crowds, and the per-

The same evening the orchestra held a | such conscientious musicians, the effect produced may be imagined. For years afterward the "Germania and Knoop concert" was a subject of pleasant memories and frequent reference by many who had heard it. One such success as this, however, could not bolster up the waning fortunes of the orchestra. The men were out of money and out of spirits. After some further deliberation they resolved to disband and each shift for himself. One joined the United States service as band-master; a few returned to New York, but the greater number remained in Philadelphia. If they had possessed the means it is quite probable

A few weeks after the orchestra had separated, a profitable engagement offered at Washington, to give four concerts and to perform at an "Assembly Ball," and the grand Inauguration Ball. The offer was, of course, accepted, and the dispersed members hastily recalled. After the inauguration festivities the Society concluded to try concerts again. This time they fixed upon Baltimore, and on the 8th of March gave their first performance in that city, at Brown's building; the more fashionable resort, Carroll Hall, being engaged by Gungl's band, which performed the same evening.

The condition of musical taste in Baltimore at the present day is not very flourishing. The receipts of the symphony concerts, which were directed by Mr. L. H. Southard, of the Peabody Institute, for several years, fell short of the expenses. The field, generally, has been so far from promising, that Mr. Southard, after a number of years spent in trying to cultivate it, some time ago abandoned the undertaking and went back to Boston. The honor, however, was reserved for Baltimore at that early day, to accord the first genuine success to the Germania Society. At the first concert, although the hall was by no means crowded, the demonstrations of pleasure and approval were more decided than the players had before heard anywhere. A second performance, on the following evening, was still better, and a general excitement was created. A mass at the Cathedral followed on Sunday, and the same evening a sacred concert was given at Zion A bill so replete with sterling composi- | Church with the greatest possible success.

formances were continued at the Holliday Street Theater.

Now followed success as great as it was unexpected. Eight concerts were given to crowded houses, and the members of the orchestra were wonderfully elated. Many excellent compositions were now performed for the first time in America, among them Beethoven's Third, Fifth, Sixth, and Seventh* Symphonies, Spohr's Consecration of Tones, overtures by Mozart, Weber, Mendelssohn and Spohr, a large amount of chamber music, and, in connection with the Musical Fund Society of Philadelphia, Rossini's "Stabat Mater," and Romberg's "Lay of the Bell." The business agent of the end to plan suitable announcements for many of these concerts. At the very beginning of the series, so unexpectedly successful, he had advertised the "Farewell Concert." Now he was obliged to follow it up with such titles as "Grand Symphonic Entertainment;" "By request, One More Concert;" "Another Farewell Concert;" "They won't let us go," &c. But at last it had to come to an end, and the posters read:—"Most Positively the last Farewell Concert."

Having pushed their success in Baltimore as far as prudence would seem to dictate, they now resolved upon a visit to Boston. On the route to that city concerts were given at New Haven, Hartford, Springfield, Worcester, and Providence, with moderate success. They arrived in Boston on the 14th of April, and played the same evening. Here, again, a slight misunderstanding of American customs seemed likely to mislead them and disconcert their plans. The musical "season" ends in America while still at its height in London; and in the continental cities to which our artists had been accustomed the changes of season were very little regarded. But in America, even now, by the 14th of April, the concert season may be considered very far spent; and so the result of this first Boston concert was far from encouraging. They made a very small beginning indeed, the entire receipts being only twenty-three dollars.

The artistic success of this concert, however, was complete, and succeeding performances were more and more encouraging. The Boston public has enjoyed, for two generations or more, the reputation of pos-

sessing the most refined and enlightened

taste to be found on this continent. With

no disposition to dispute her high artistic

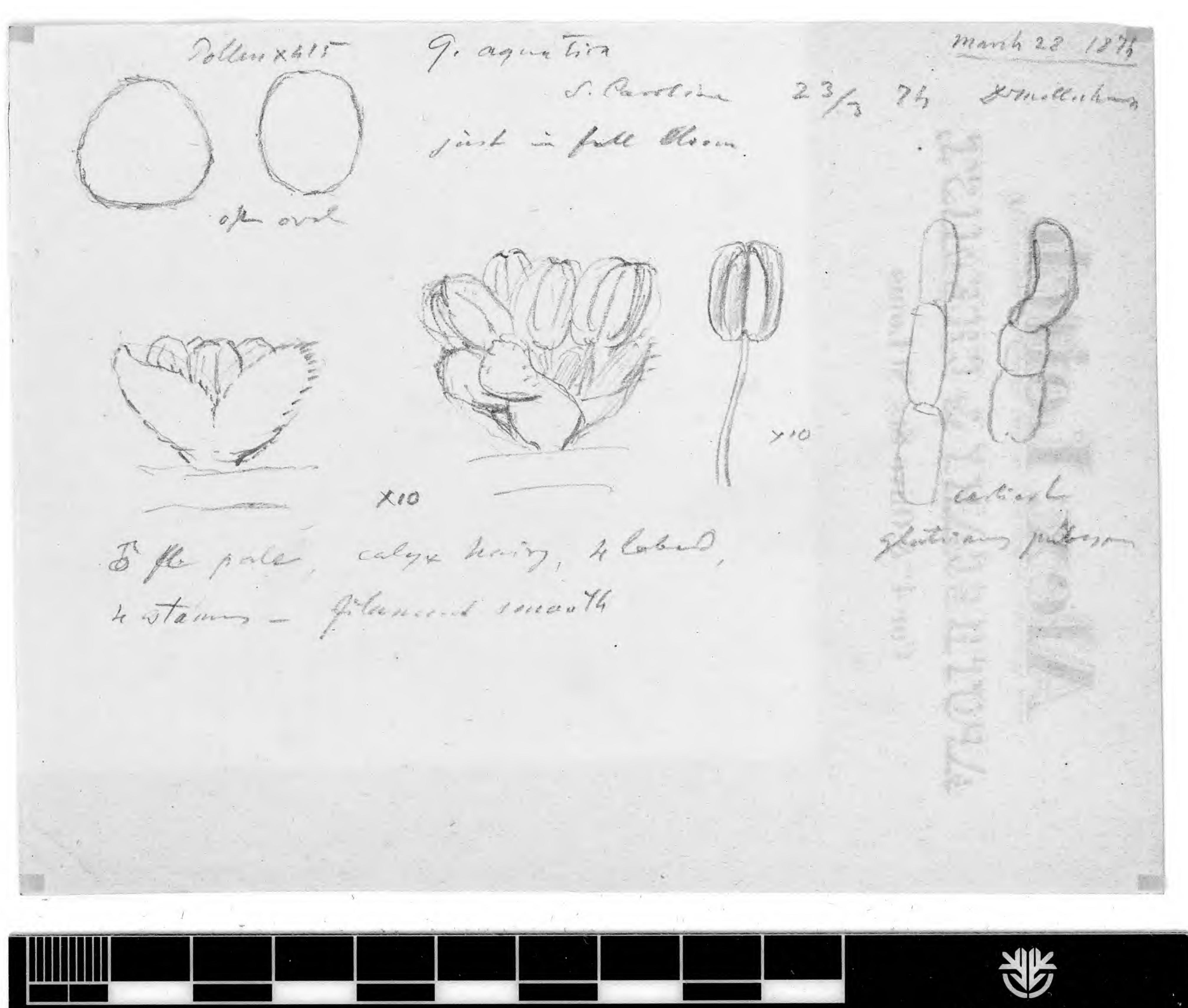
But the first concert of the Germania Musical Society opened the Bostonian eyes, and the unfastening of the Bostonian purse followed as a matter of course. They did not stay to ask whether it was May or November. Twenty-two concerts were now given in rapid succession, and the unabated enthusiasm was highly encouraging to the members. The last five concerts were played in connection with the then famous vocalist, Fortuneda Tedesca, and the hall was invariably filled to overflowing. It is a fact worth recording that at these twentytwo concerts the overture to "Midsummer Night's Dream" was played entire forty-four times, the audience in every instance insisting upon a repetition.

The high-road to success was now at length reached, and despite the near approach of summer, engagements from other cities flowed in rapidly. Good, paying concerts were given in Lowell, Taunton, and New Bedford, directly following the Boston series; and even New York, which had so decidedly given the cold shoulder to this enterprise, now offered an engagement to play at "summer festivals" in Castle Garden. This offer was accepted, and by the end of the series summer had come in good earnest.

About this time some of the more influential pioneer visitors at Newport had set about the project of making that resort a fashionable watering-place. Their artistic taste and judgment were well shown in their engagement of the Germania Orchestra for

repute, we are inclined to trace it to a somewhat different source than superior judgment and unerring taste. The chief cause of it rests in the simple fact that what her people really like they will have, and are always ready to pay for. While other cities may be haggling over terms, and other audiences are hanging back until prices fall, Boston, having found a good thing, steps in, and, outbidding every vacillating competitor, bears the prize triumphantly within her own charmed circle. It was very much in this way that Boston treated the Germania Sociorchestra, Mr. Helmsmüller, was at his wits' ety. The season was virtually over. According to all precedent, the violins should have been boxed up, the flutes unscrewed, the kettle-drums hustled into their musty garrets to keep company with spider-webs, and the general average of concert-goers prepared gratefully to button up their pocket-books and thank God that one expense was over.

^{*} It is said, by another authority, that the Seventh Symphony of Beethoven was first given in Boston about 1842.





MISSOURI BOTANICAL GARDER



9. 24 care Cory J. Carolina Loundlicken oblisse ruly x labery 1 male 1876 shocked with long Tage : Haringolean prople or distill digitly come ave from a hour young lengt 8 "long with single X10 anthor over long hair on ribs de herves, Color more than about ans much mallin yorberoud - pilite - - on Cours surface ving short stellet hair

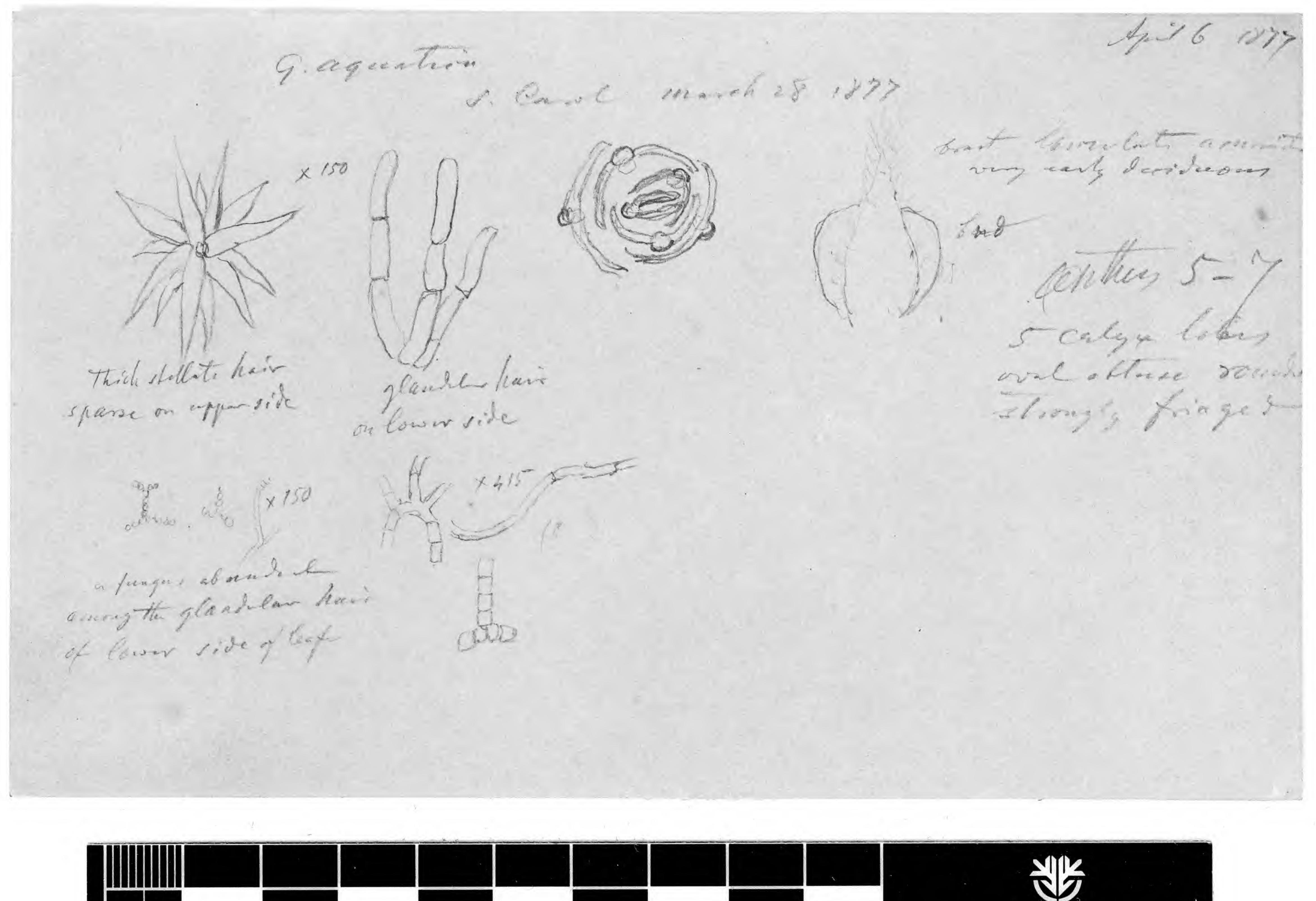
copyright reserved cm

BOTANICAL GARDEN

MISSOURI BOTANICAL GARDEN. GEORGE ENGELMANN PAPERS









No.

Dat

MISSOURI BOTANICAL GARDEN GE RGE ENGELMANN PAPERS



that the "average man" is well contented with either. "He likes sense and information, if they are not put in such a way as to tire or shock him. He is willing enough to put up with commonplace which imitates originality, for he finds nothing to object to in the commonplaces; but he has not sufficient confidence in his own judgment to detect the counterfeit originality. But it is a mistake to imagine that there is always a popular demand for any foolish fashion of writing which happens to exist. That very lack of discrimination which marks the uneducated man renders him quite as ready to accept sense as nonsense. But as nonsense only is given him, he accepts nonsense. Who is he that he should set up his opinion against persons who express themselves in such fine and confident words, whose sentences are printed in such elegant type, in papers sold at such grand hotels, and scattered by the thousand in such great cities? What is known as a popular demand might be more accurately described as a popular acquiescence. It seems very formidable when we think of the immense number of persons who form it; but then it is only skin-deep. Instead of a popular state of mind being, as we are apt to think it, a recondite and almost inscrutable matter, it is oftener the result of an obvious and even contemptible cause. Instead of there being a deep-seated and characteristic taste with which public caterers must comply, the fashion is often given the people from above. After the fashion is fixed, men write in accordance with it, and explain its existence by the fiction of a demand."

Mr. Nadal has given us a very delightful volume,—full of good things that one feels like marking with the pencil, or reading aloud, or quoting in a "book notice;" but we confess that these "Impressions" most interest us by the promise of their qualities. There are phases of American life,—and one of them at least he himself points out in the paper on "English Sundays and London Churches,"—which are waiting for appropriate treatment at the hands of a writer whose tone is so high and reverent of truth, who has just such quick and subtile insight, just such exquisite poetic feeling, free from all taint of sentimentality.

Miss Phelps's "Poetic Studies." *

ONLY those whose occupation it is to listen closely to all the utterances and echoes of the period, in imaginative literature, can fully know the relief that comes with hearing unexpectedly, amid the uproar, a single note of genuine, spontaneous song. Such a note we seem to distinguish in Miss Phelps's modest volume, though the manner of uttering it is not quite so much her own as we could wish it to be, seeing how fine and how distinctive is the quality of her feeling. It is not that one blames a poet for resemblances which may be as natural as that close friends should have kindred tastes, and members of one family develop like features; and, if Miss Phelps's poetic accent

recalls, here and there, the time of Browning or Emerson, it is no less a ground for pride that she can write in their modern strain two poems like "What the Shore says to the Sea" and "What the Sea says to the Shore." It is, perhaps, not doing Miss Phelps justice to call attention first to these hints of poetic kinship; but rather the offering of a crumb to very strict literary consciences. The maxim of some readers as well as critics seems to be, "First catch your poet:" we have shown them how to do it in this case. But even in "Petronilla," a poem, the peculiar lace-like texture of which we should be tempted most strongly to call Point of Browning, we find a strange, visionary effect in the description of miracle, which seems quite new and very notable.

The most simply pleasing, and possibly therefore the healthiest verses in the book are, we think, those called "Did you speak?" They relate a childish anecdote of the sort which women poets have brought into literature; and we owe humble thanks for the simple, naïve, hearty sweetness imparted through them. Of "The Light that never was on Sea or Land," we must speak in a very different tone. This is a poem which brings criticism into the attitude of silent awe; not so much for its art (though that is singularly subtle) as for its pure, far-reaching feminine holiness. Here again is a revelation which only a woman could have made, because she alone knows the depths of feeling whence it came.

If we speak solely of literary value, we must think Miss Phelps wise in calling her poems "studies." In the main, they are simply this,—not, of course, cold, mechanical studies, but efforts in certain directions carried only to a given point. Some go farther than others, and several deserve a degree higher than that assigned by the title. But if these also are only "studies," we look with great hope for "works" to follow.

"An Idyl of Work." *

A DEFENSE may be found for the strict literary conscience which we have alluded to in speaking of Miss Phelps. It is this. The alien notes in a poet's singing come there in two ways,—either through a semi-unconscious demand of a voice strong enough to carry them without hurt, or through adoption on theory. In the first case, of course, the defect excuses itself, in a measure. In the second, though the theory may be as unconscious as the distinctive demand was in the first case, it proves itself theory by the weakness of the voice, and cannot excuse itself—can only be excused.

When a poem in blank verse, something over four thousand lines long, is about to be written, it is advisable to reflect long and seriously whether the subject-matter takes the proposed form voluntarily, and whether it has in itself the peculiar elements and tendencies which will uphold the ponderous shaping, and keep it buoyant and battle-proof to the last. It seems to us that this was not safely to be

^{*} Poetic Studies. By Elizabeth Stuart Phelps, Author of "The Gates Ajar," etc. Boston: James R. Osgood & Company.

^{*} An Idyl of Work. By Lucy Larcom. Boston: James R. Osgood & Company.

predicated in the case of Miss Larcom's work, and a thorough reading of it has made us wish that, with such high intentions, and such a knowledge of the life to be described, the poetess had cast her story in a more elastic form. All along through this tale of mill-girls' life there are gleams of that austere, pathetic kind of beauty which has made the far more meager peasant-life of Norway, for example, famous.

A natural error seems to have led to the adoption of the (in some ways) most poetic of all forms but the pure dramatic, in order to escape a strong sub-current of prosiness in the scenery. But this has only emphasized the obstacles. The verses are broken on the mill-wheels, as it were, at every turn; whereas a strong, musical prose would have put a spell on the machinery, and made the commonplace forcible and attractive in spite of itself. Take this scrap of talk:

> "If she were from Connecticut, She might be-my third cousin." "May be-is" "That is her native State." "Permit me, sir, To call upon her with you."

This is clear and unrelieved prose, and is by no means an exceptional passage. Yet we sympathize entirely with Miss Larcom's brave effort to rescue, even by a mistaken method, the recondite and valuable romance of obscure lives; and we must add that, not only is her sentiment always true and dignified, but often her expression is very fortunate. These two facts, two extracts will prove:

> "Woman can rise no higher than womanhood, Whatever be her title."

This has the right luster, but in a more successful setting it might have met readier recognition.

> "One baby sister blossoms like a rose Among her thorny brothers, all grown rough With farm-work,"

is like a breath of pure country air.

The plot is light and vague, but, with more distinctness and a poetic pitch more clearly sustained, the book might have been what we may still look to its author for, a long lever to advance American poetry on its true path.

"Foreign Dramatists under American Laws."

THE recent case in the New York Superior Court, brought by Mr. Sheridan Shook of the Union Square Theater, to prevent Mr. Augustin Daly from producing at the Fifth Avenue Theater the French play "Rose Michel," is the same in its main features as those discussed in our article on "Foreign Dramatists under American Laws." "Rose Michel" is a manuscript play from the pen of M. Blum, a French dramatist. It has been represented in Paris, but has not been printed there or here. A copy of the French manuscript, and one of the English translation, were purchased from the assignee of the author by Mr. Shook, with the exclusive privilege of representing the play in the United States, except-

ing New England. Mr. Shook thus acquired a common law right of property in the manuscript, just the same as he would in a lot of scenery or costumes purchased in Paris. The Court protected this right as a common law right, and not under the copyright statutes. This general principle of law was not disputed by Mr. Daly, but he had also bought a copy of the manuscript which purported to come from an alleged assignee of the author in England. The question, therefore, before the Court was, whether Daly's title was good as against Shook's, and the decision was in favor of the latter. Daly, therefore, himself claiming title from the author, was not in a position to raise the question whether the public representation of the play in Paris was an abandonment of the author's rights. If this issue had been raised, it could have been argued only on the ground that the play had been obtained through the memory of one or more persons who had witnessed the performance in Paris. But it is probable that even this theory will never again meet with any favor in our courts, which will, doubtless, hold to the better doctrine, that the representation of a manuscript play is not a publication destructive of the author's proprietary rights.

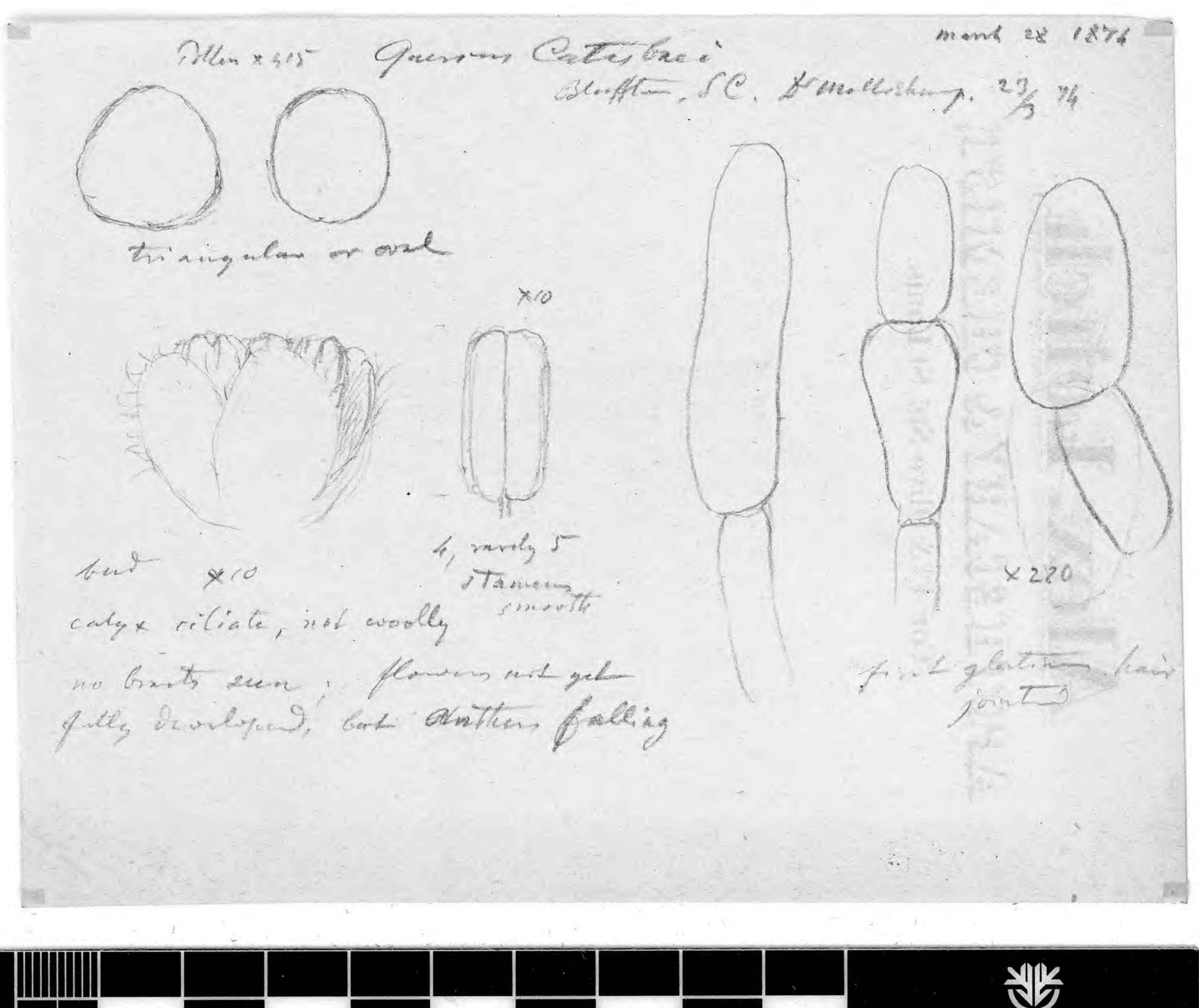
Some of the comments on the decision in the case of "Rose Michel" assume that the rights here accorded to a foreign dramatist are withheld from other foreign authors. This, however, is not so. Any foreign author has the right to make exclusive public use of his work in this country, provided it be kept in manuscript. The same protection thrown around the play of "Rose Michel" will be extended to a lecture or a musical composition given from manuscript to the public, or to an original painting on exhibition, notwithstanding they are foreign productions. Mr. Charles Reade may read in public a manuscript novel from New York to San Francisco, and his common law right of property therein will

be protected by our courts.

A Reading-Room for the Blind.

To the Editor of "Scribner's Monthly": Within the limits of New York city, there are now about six hundred blind. Nearly all of the children thus afflicted are in the Institution for the Blind on Ninth Avenue, near Thirty-fourth street; a few are in the Asylum on Blackwell's Island. Of the men, most have become blind since they reached manhood, and sadly remember what it was to see.

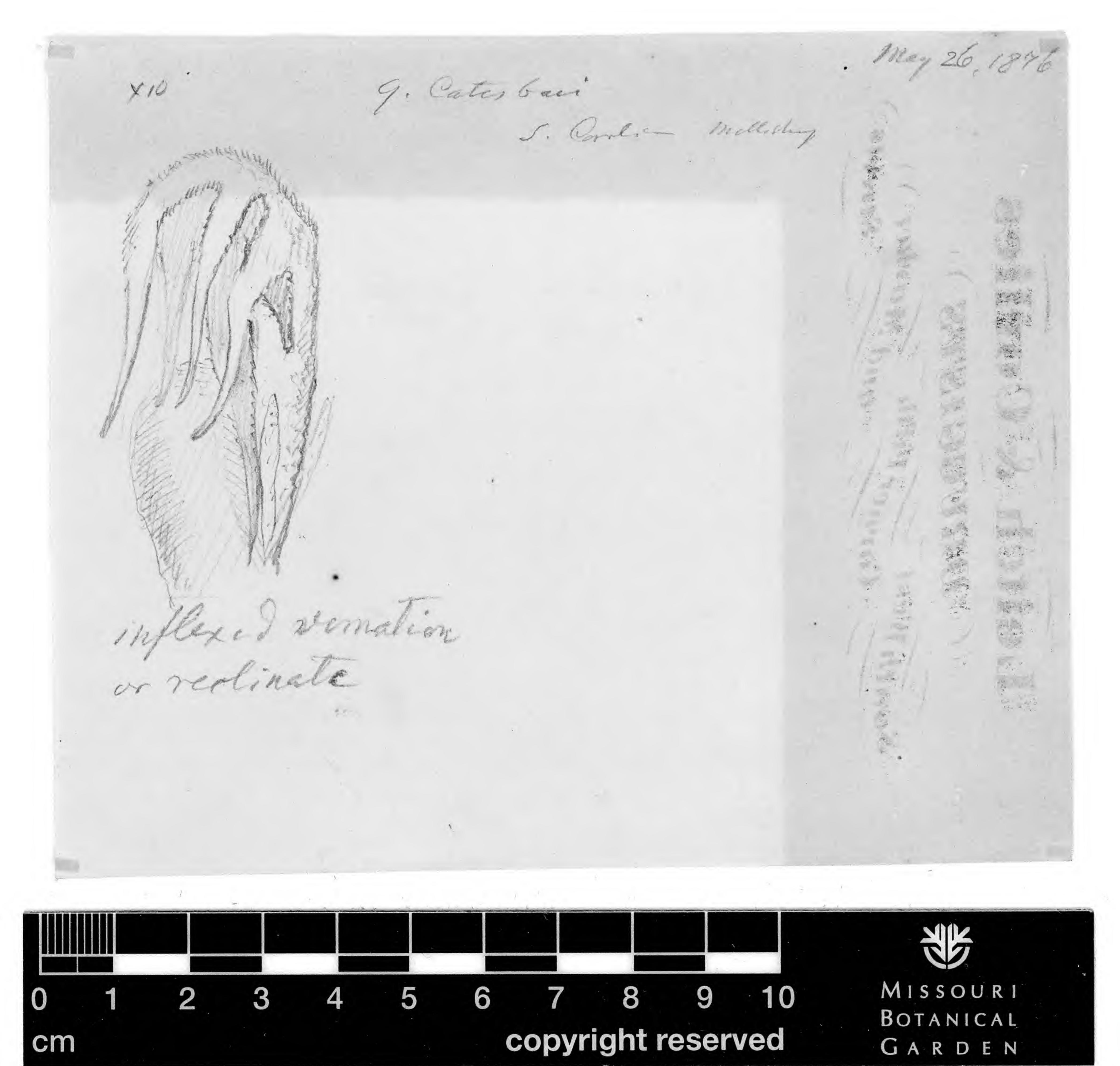
The amount of literature accessible to the educated blind is very small. Of this, there are two kinds: the raised letter, which, with some slight modifications, is the same in form as the Roman, and the point-print, in which the alphabet is represented by an arrangement of raised dots. The two systems are so dissimilar, that a proficiency in reading one is no assistance whatever in the acquisition of the other. The bound volumes of this print are cumbrous and expensive, the Bible consisting of some eight volumes, of a total weight of fifty pounds. Despite the greatest care of experienced attendants, the raised letter often becomes flattened by finger-reading, and wholly illegible to the blind. To the greater number of those who are educated in it, finger-reading is a process too slow and laborious to afford much pleasure. As a rule, the blind are very poor; moreover, their relatives are in the same condition, and can spare neither the money to buy such books, nor the time to read them to their sightless friends, were the books provided. Very few are self-supporting; their life is one of enforced leisure, with many a dreary waste of time; and yet, in none of





MISSOURI BOTANICAL GARDENS GEORGE ENGELMANN PAPERS



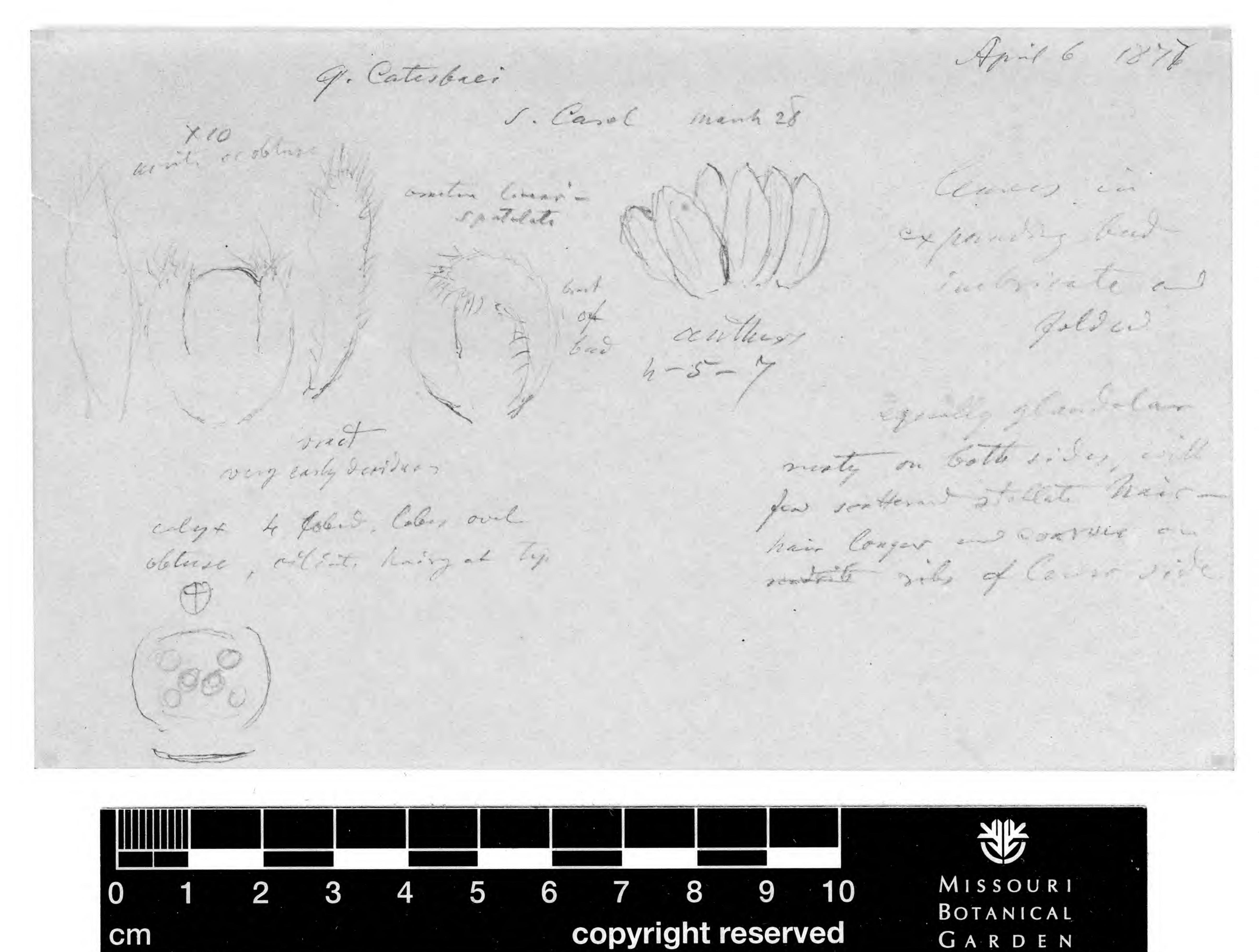




MISSOURI BOTANICAL CARDEN GETASE ENGELMANN PAPERS



MISSOURI BOTANICAL GARDEN



MISSOURI BOTANICAL GARDEN GEORGE ENGELMANN PAPERS

MISSOURI BOTANICAL copyright reserved cm GARDEN